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Post bus 2025
's-Gravenhage, Holland

REX RE: Dutch Patent Application 64.09621
Philip Morris Inc.
Our File: 582-440-Holland
Your Ref.: VEL 64.09621

Dear Sirs:

This responds to your letter of August 2, 1971, ~~which~~
enclosing
~~you have enclosed~~ a copy and a translation ~~REX~~ of an Official

Letter which we understand is due for reply by December 17, 1971.

In studying the Official Letter, we find that the
Examiner does not appear to think that ~~an ion-~~ *the use of an ion-* exchange resin
is inventive
~~is invented~~ for the purposes we have described herein. *As we understand*
he appears to be Unfortunately,
the Examiner ~~is~~ taking the view that we are merely claiming the use
of an ~~ion-~~ *ion-* exchange resin but what he has overlooked is that we
are claiming a product utilizing an addition agent - ion-exchange
resin. In other words we ~~are~~ *resinates*
or a complex of nicotine or flavor agent and an ion-exchange material
are utilizing what is essentially a ~~resinate~~ or chemical compound
in which nicotine or a flavorant is chemically bound to the ~~ion-~~
ion-exchange ~~ion-exchange~~ resin. This is simply not ~~thought~~ *not described, shown or suggested*
cited by the Examiner.

It will be noted *on* ~~that~~ reading our specification that we
during manufacture and on storage
desire to use a substance which is inert and stable, noting our
specification in English translation page 5, line 10 et seq. The
inert and stable material is obtained by reacting nicotine or

a flavorant ^{with an ion} ~~would not~~ ^{Compound or} ~~and~~ exchange resin so that a new complex is formed, ^{The nicotine or flavorant is} ~~which is~~ neither absorb^{ed} nor adsorbed on the resin, but is chemically a part of the resin. Actually, we could call the product so produced a ^{resinate} ~~resinate~~ noting our English specification again on page 18, line 18 et seq.

The Examiner calls our attention to French patent 662.938 which merely teaches the use of an absorbant agent in granular form for denicotinizing or taking out nicotine from tobacco smoke. In our case, when nicotine is involved we do not wish to take it out ^{from tobacco smoke} but to add it to the tobacco smoke and this is done by the action of the smoke itself on the nicotine-ion exchange resin which releases ^{or breaks down the complex to} ~~the nicotine from the ion-exchange~~ ^{release nicotine} resin ~~in and~~ adds it to the smoke passing through the filter.

Certainly, the active carbon or silica gel which is utilized in the French patent does not chemically ^{release nicotine & the} ~~bind the nicotine and~~ smoke. It does just the opposite, ~~release it~~. Any nicotine that happens to be in the tobacco smoke as described by this patent is removed by absorption or adsorption into the active carbon or silica gel.

The Examiner again repeats the reference to British patent 695,046 ~~with~~ which discloses the use of ion-exchange resins for removing nicotine and ^{pyridine} ~~peridine~~ bases ~~XXX~~ or other

volatile basic

~~volatile basic~~ nitrogen compounds from tobacco smoke. In essence, this patent merely teaches the use of an ion-exchange resin for removing nicotine from tobacco smoke by chemically combining the nicotine as it passes through the ion-exchange resin with it. Actually, the end product of this patent is what we start with and we ~~suggest the opposite~~ *obtain the opposite* effect from that described in the British patent. Certainly, there is no teaching in the British patent to use a nicotine-ion exchange resin in the form of a *resinite* ~~desired~~ *desired* chemically compound to add nicotine to the tobacco smoke, as we have described in our application.

Finally, the Examiner again appears to rely on Dutch patent 27.392, which, as we have indicated in our last letter is also irrelevant to the invention we are claiming here. In this Dutch patent as we have indicated before, they use charcoal

or silica ~~gel~~ which absorbs a *volatile* ~~volatile~~ substance but does not *to form an inert resinite or chemical complex. In the* chemically combine with it, ~~and they put this activated charcoal~~ *case of the Dutch patent, the charcoal or gel containing the volatile oil* or silica ~~gel reloaded with such volatile substances in a cigar~~ *in absorbed or adsorbed form is placed in a cigar or a cigarette,* ~~to or cigarette.~~ What actually happens in this case is that

as the tobacco smoke passes through this charcoal or silica ~~gel~~, *from the smoke while the volatile oils are released,* nicotine is absorbed ~~in the volatile oils add to the smoke.~~

in the Dutch patent is that the ~~absorbs~~ flavor in the silicate ~~is not bound to the gel or charcoal but~~
gel or activated charcoal these materials are not chaemically
merely adsorbed thereon. This loose ~~absorption or adsorption~~ ^{and} generally
bound to the substrate as in our case in the result is that some
loses flavor when merely standing at room temperature since the
material will undoubtedly exude an odor on standing. Thus,
of the flavoring agents disappear on standing. In effect, product
the product used in the cigarette or cigar as
described by the Dutch patent is neither inert nor stable as in

our case. It may also be said that ~~XXXX~~ while the Dutch patent
describes the use of ~~volatile~~ ^{volatile} oils absorbed or adsorbed on charcoal

or silicate gel it says nothing with regard to ~~even absorbing a~~ ^{chemically combining}
~~nicotine with the charcoal or gel for eventual release into~~
~~the smoke. The patent actually indicates~~

an opposite desire. We call attention in our specification with
^{¶ In our application, we specifically indicate that}
~~regard to~~ the flavoring agents which had been chemically combined

^{See}
with our ion-exchange resin, on page 4, last paragraph, starting
with line 20, wherein we point out that with ~~respect to~~ our product
the flavor agent is not released prior to the time the ~~XXXX~~

tobacco product is smoked, whereas the same cannot be said ~~or~~ ^{with}
~~regard to an absorbed volatile oil.~~
~~a flavor agent or other volatile oil which is merely absorbed~~

~~on to charcoal or silicate gel.~~ With regard to our product the
control is very good and there is a only release of flavor agent
or nicotine when the smoke passes through the filter and not
before or while the product is in storage.

~~be pertinent to our use of an additive ion exchange resin in~~
~~which the additive is chemically bound to the XN ion exchange~~
~~resin ~~xx~~ is not released ~~XXXXX~~ until~~
~~the product is in use.~~

We believe that ~~x~~ it might be helpful to present a

for consideration by the Examiner,
new set of claims ~~is drawn somewhat along the lines of our~~

These claims read as follows:

~~Claims:~~

~~German application, these claims reading as follows. If you~~

(Add the new claims)
~~believe that this will prevent the invention in a better way~~

If you agree that the claims present the invention
in a better way please bring them into proper form
please use them or adapt them under proper Dutch practice or
acceptable to Dutch practice.

~~a consideration by the Examiner.~~

Very truly yours,

1.

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1. A filter cigarette having a tobacco section containing tobacco and a filter which contains an ion-exchange resin characterized in that an additive is chemically bound to the ion-exchange resin which gives off the additive to the smoke passed therethrough *by breaking away the additive from the ion-exchange resin.*

2. A filter cigarette as in claim 1; wherein the additive is nicotine that is bound to the ion-exchange resin ~~XX~~ and is given off in the smoke ^{*passed*} ~~passed~~ therethrough.

3. A filter cigarette as in claim 1; wherein the additive is a flavorant that is bound to the ion-exchange resin and is given off in the smoke passed therethrough.

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